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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,679	07/22/2003	Koji Nozaki	030891	5083
38834	7590	11/29/2005	EXAMINER	
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036			WALKE, AMANDA C	
			ART UNIT	PAPER NUMBER
			1752	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/623,679	Applicant(s) NOZAKI ET AL.	
	Examiner Amanda C. Walke	Art Unit 1752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In light of applicant's arguments filed 8/30/2005, the examiner has reconsidered the rejection and dropped the rejection made in the previous office action. A new rejection follows.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishibashi et al (6,579,657 B1).

Ishibashi teaches a method for manufacturing a semiconductor device: A first resist pattern is formed from a first resist (a mixture of *novolac resin* and a naphthoquinonediazide photosensitive agent) on a semiconductor base layer. A second resist is formed on the first resist pattern which generates crosslinking reaction in the presence of an acid. A crosslinked film is formed at a portion of the second resist contacting with the first resist pattern by the agency of an acid fed from the first resist pattern. Non-crosslinked portions of the second resist are removed (i.e., developed) to form a second resist pattern. Finally, the semiconductor base layer is subjected to etching through the second resist pattern used as a mask. Ishibashi teaches (see col.2, lines 31-38, lines 62-65) as the second resist material, a fine pattern-forming material, which is a *mixture* of *water-soluble* resin such as polyvinyl alcohol or polyvinyl acetal and a crosslinking agent such as a melamine derivative or a urea derivative.

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Ishibashi teaches (col.9, lines 6-12) that in order to improve the film-forming properties, surface active agents such as non-ionic polyoxyethylene nonylphenyl ether type surfactant can be added to the second resist material. Ishibashi teaches (col.7, lines 34-50) that as his *water-soluble* resin for the second resist, polyacrylic acid, polyvinyl acetal, polyvinylpyrrolidone, polyvinyl alcohol, polyethyleneimine, polyethylene oxide, styrene-maleic acid copolymer, polyvinylamine resin, polyallylamine, oxazoline group-containing resists, water-soluble melamine resins, water-soluble urea resins, alkyd resins, and sulfone amide resins can be used and that the water-soluble resins may be used singly or *in combination of two or more*. Therefore, it would have been obvious to one of ordinary skill in the art to use the combination of polyvinyl acetal (or polyvinyl alcohol) and styrene-maleic acid copolymer as Ishibashi's water soluble resin for the second resist with a reasonable expectation of obtaining a material for finely isolated resist patterns capable of reducing an isolation size or hole size in the pattern when the resist pattern is formed in a semiconductor manufacturing process. Since the styrene-maleic acid copolymer is water soluble aromatic compound as well as a resin containing an aromatic compound in a portion thereof, Ishibashi meets the instant claim limitations.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suetsugu et al (6,329,119) in view of Shimada et al (6,416,939).

Suetsugu et al teaches (see col.2, lines 30-45) a resist material that includes a basic compound of Formula (I) which is shown in col.2, lines 12-20, an alkali soluble resin, and crosslinking.

Suetsugu's resist composition is used for lithography process for making semiconductor integrated circuits (see col.1, lines 4-8), and Suetsugu forms a resist pattern using his resist composition (col.8, lines 12-29), and the method appears to meet the limitations of the instant claims 23-28. The crosslinking agent that Suetsugu discloses is hexamethoxymethyl*melamine* (see col.7, lines 1-13), which meets the instant claim limitations.

With respect to the resin, Suetsugu teaches (col.4, lines 10-14) that as his alkali soluble resin, a novolak resin and a polyvinyl phenol resin (such as homopolymer of vinylphenol) can be used in combination(polyvinyl phenol resin is an aromatic water-soluble resin). Suetsugu teaches (col.7, lines 55-59) that the resist composition can contain a surfactant, but fails to specifically describe the instantly claimed surfactant.

Shimada et al disclose a recording material comprising a non-ionic surfactants such as polyoxyethylene nonylphenyl ether. These are known in the art to improve stability of a negative type image recording material to treatment in regard to development conditions, as evidenced by Shimada, col.47, lines 10-19. Therefore, it would have been obvious to one of ordinary skill in the art to prepare the material of Suetsugu and employ the non-ionic surfactants (polyoxyethylene nonylphenyl ether) of Shimada to improve stability of Suetsugu's negative type resist composition to development conditions.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda C. Walke whose telephone number is 571-272-1337.

The examiner can normally be reached on M-R 5:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Amanda C Walke
Examiner
Art Unit 1752

ACW
November 28, 2005